

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

POM WONDERFUL LLC, a Delaware
limited liability company,

Plaintiff and Counterdefendant,

v.

ORGANIC JUICE USA, INC., a New York
corporation; and DOES 1-10, inclusive,

Defendants.

AND RELATED COUNTERCLAIMS

Case No. 1-09-cv-04916-JPO

Assigned to Hon. J. Paul Oetken

**SUPPLEMENTAL DECLARATION OF DANIEL A. BECK
IN SUPPORT OF PLAINTIFF AND COUNTERDEFENDANT POM'S OPPOSITION
TO DEFENDANT AND COUNTERCLAIMANT
ORGANIC JUICE'S MOTIONS *IN LIMINE***

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SUPPLEMENTAL DECLARATION OF DANIEL A. BECK

I, Daniel A. Beck, declare as follows:

1. I am Counsel at Roll Law Group P.C., counsel for plaintiff and counterdefendant Pom Wonderful LLC (“Pom”). I have personal knowledge of the facts as set forth herein and, if called upon to testify, could and would competently testify thereto. I submit this declaration in support of Pom’s opposition to the motions *in limine* filed by defendant and counterclaimant Organic Juice USA, Inc. (“Organic Juice”).

2. Attached as Exhibit A is a true and correct copy of an excerpt from the transcript from the deposition of Dana Krueger in this action.

3. Attached as Exhibit B is a true and correct copy of excerpts from the transcript from the deposition of Shankar Bhattacharyya in this action.

4. Attached as Exhibit C is a true and correct copy of an e-mail produced by Organic Juice in this litigation, bearing the Bates No. OJ0009397, which has been marked as Plaintiff’s Exhibit 69 for trial.

5. Attached as Exhibit D is a true and correct copy of an excerpt from the transcript from the deposition of Paul Sheppard in this action.

6. Attached as Exhibit E is a true and correct copy of an excerpt from the transcript of the trial in the case of Pom Wonderful LLC v. Tropicana Products, Inc., CV 09-566, which was litigated in the Central District of California.

7. Attached as Exhibit F is a true and correct copy of an excerpt from the deposition of Ali Suman in this action.

8. Attached as Exhibit G is a true and correct copy of an excerpt from the deposition of Matthew Tupper in this action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed in Los Angeles, California on this 17th day of January 2012.

By: /s/ Daniel A. Beck
Daniel A. Beck